

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

GARY S BRADLEY, *et al.*

PLAINTIFFS

v.

CASE NO. 3:21-CV-00079-BSM

XTO ENERGY INC

DEFENDANT

ORDER

Plaintiffs’ motion to deposit funds with the court [Doc. No. 16] is granted. Defendant has tendered \$7,787.67 to the named plaintiffs, asserting that those funds are the exact amount owed to plaintiffs for deductions that XTO withheld from plaintiffs’ royalty payments. The funds are currently being held by plaintiffs’ counsel in the Morgan Law Firm Trust account. Plaintiffs assert that, as class representative, they cannot accept payment that does not treat all class members equally and fairly. Plaintiffs seek to deposit these funds with the court under Fed. R. Civ. P. 67(a). Defendant responds that the motion should be denied because there is no disputed claim over the funds, and because the amount is “precisely the amounts they requested from XTO.”

Plaintiffs’ motion is granted because there is still an ongoing dispute between the parties as to the amount owed to plaintiffs. Accordingly, plaintiffs are permitted to deposit \$7,787.67 into the registry of the court, where it shall be held in an interest-bearing account and remain there pending further orders.

IT IS SO ORDERED this 1st day of August, 2022.


UNITED STATES DISTRICT JUDGE